

## **Management System: Contracting and Financial Assistance**

# **Subject Area: Contract Management and Administration**

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**Issue Date:** 8/30/2012

CBC MS Revision: Rev 0

### **1.0 Introduction**

This subject area involves managing and administering contracts by (1) establishing requirements and expectations for the contractor, (2) facilitating contractor performance, (3) monitoring and evaluating contractor performance, and (4) providing feedback to the contractor. It also may involve contractor transition.

The contract transition process involves the orderly transfer of management from an existing contract to a newly awarded contract. This process provides guidance for establishing expectations related to transition which are commensurate with the magnitude and programmatic requirements of the work. Following successful transition, management is performed through the new contract.

The management of contract requirements and expectations includes changes to the requirements and/or expectations through contract modifications and DOE technical direction. A contract modification is a formal change to the terms of the contract, signed by the DOE Contracting Officer (CO). These changes can include the required implementation of a new DOE directive or a new federal law or regulation. Technical direction is guidance concerning the contractor's work that falls within the scope, estimated cost, fee, and time period of the contract (e.g., a change in priorities or clarification on certain tasks that need to be performed). Technical direction will be issued by a formally designated Contracting Officer's Representative (COR).

Monitoring and evaluating contractor performance involves ensuring the contractor meets contract requirements and expectations through (1) acceptance of contract deliverables, (2) conducting performance reviews, (3) preparing performance reports, (4) daily monitoring of ongoing activities, and (5) the use of contractor self-reporting. Monitoring and evaluating also involves providing feedback to the contractor on their performance through formal periodic appraisals and other feedback mechanisms, including informal mechanisms, so that deficiencies are understood and corrected. This feedback process may also result in changes to the requirements and expectations.

Closeout is the process of settling all outstanding contractual issues to ensure that each party has met all of its obligations, and documenting the contract file accordingly. The primary objectives of contract closeout are: (1) to identify and resolve any uncompleted obligations or pending liabilities on the part of either the Government or the contractor; and (2) to ensure that contract-related decisions and actions have been properly documented.

See the Review Thresholds and Protocol Subject Area for review thresholds for post award contract actions.

## 2.0 Contents

The table below defines Environmental Management Consolidated Business Center (EMCBC) procedures that pertain to certain areas of contract management and administration.

Procedures	Procedure Content
1. <a href="#">IP-540-12</a> , Contracting Officer's Representative Designation and Continuing Learning	<ul style="list-style-type: none"> <li>This procedure implements the requirements for Contracting Officer's Representative delegations and continuing learning responsibilities.</li> </ul>
2. <a href="#">TI-OOC-002</a> , Subcontracting Consent Reviews	<ul style="list-style-type: none"> <li>This technical instruction specifies the process for subcontract reviews in accordance with the FAR and DEAR.</li> </ul>
3. <a href="#">IP-540-18</a> , Contractor Invoice Review and Approval	<ul style="list-style-type: none"> <li>This procedure provides the process for reviewing and approving contractor invoice payment requests in both the <a href="#">Vendor Invoice Approval System (VIAS)</a> and by hardcopy invoice submittals depending on contract invoicing instructions. Also see the <a href="#">DOE Financial Management Handbook</a> for instructions for accrual adjustments using VIAS.</li> </ul>
4. <a href="#">IP-540-09</a> , Cost and Pricing Analysis Support for Financial Assistance Actions and Post-Award Contract Actions	<ul style="list-style-type: none"> <li>This procedure establishes the general process for requesting and providing cost and price analysis support for post-award contract actions.</li> </ul>
5. <a href="#">IP-540-19</a> , Contractor Past Performance Information	<ul style="list-style-type: none"> <li>This procedure identifies the contract administration responsibilities of the Contracting Officers, Contracting Officer's Representatives or Technical Evaluators for collecting, maintaining, and disseminating past performance information. Also see <a href="#">HCA Directive 2.2</a>, Contractor Performance Assessment Reporting System Guidance for</li> </ul>

Procedures	Procedure Content
	Office of Environmental Management Peer Review of Contractor Performance Assessment reports for Active Contracts over \$20 million, for additional HCA process and requirements.
6. <a href="#">Award Fee and Incentive Fee Determinations</a>	<ul style="list-style-type: none"> <li>• This procedure implements the EM guidance to Fee Determination Officials for the submittal of fee decisions (award fee and incentive fee) for HCA review on contracts over \$20 million (also see <a href="#">HCA Directive 2.1</a>)</li> <li>• This procedure implements guidance to COs and Fee Determination Officials for the release of fee determination information on major contracts over \$50 million in total value (also see <a href="#">HCA Directive 2.6</a>).</li> </ul>
7. <a href="#">IP-540-04</a> , Handling Foreign Ownership, Control, or Influence (FOCI) Submission	<ul style="list-style-type: none"> <li>• This procedure establishes the responsibilities for identifying and handling FOCI at the prime and subcontract levels.</li> </ul>
8. <a href="#">IP-540-06</a> , Procurement Request Packages, Including Financial Assistance	<ul style="list-style-type: none"> <li>• This procedure establishes the general content requirements for procurement request/requisition packages.</li> </ul>
9. <a href="#">TI-OOC-001</a> , Organization of Contract, Financial Assistance and Interagency Agreement Files	<ul style="list-style-type: none"> <li>• This technical instruction specifies a uniform method for organizing documents in contract files.</li> </ul>
10. <a href="#">IP-540-05</a> , Execution and Distribution of Award Documents	<ul style="list-style-type: none"> <li>• This procedure includes guidance for the execution and distribution of contract modifications.</li> </ul>
11. <a href="#">IP-540-10</a> , Close-Out of Inactive Award Instruments	<ul style="list-style-type: none"> <li>• This procedure provides the process for closeout of inactive award instruments falling under the administration of the EMCBC Office of Contracting.</li> </ul>

### 3.0 Exhibits/Forms

- [Performance Evaluation and Measurement Plan \(PEMP\) Checklist](#) (Use also for Award Fee Plan development.)

## 4.0 Related Information

- [HCA Directive 1.1](#), HCA Approval of Contracting Officer Warrants
  - ♦ [Office of Environmental Management Certificate of Appointments – Warrants](#), Memorandum dated April 4, 2012
- [HCA Directive 1.8](#), Contract Change Order Administration of Prime Contracts
  - ♦ [Environmental Management Policy on Managing Contract Changes for Capital Projects and Operations Activities](#), Memorandum dated March 10, 2011
- [HCA Directive 1.8](#), Contractor Compensation and Salaries Approval
- [HCA Directive 2.1](#), Fee Determination Officials (FDO) Guidance for Office of Environmental Management Concurrence on all FDO Decisions
- [HCA Directive 2.6](#), Fee Determination Posting Requirements
- [HCA Directive 2.2](#), Contractor Performance Assessment Reporting System Guidance for Office of Environmental Management Peer Review of Contractor Performance Assessment Reports for Active Contracts over \$20 Million
- [Contractor Performance Assessment Reporting System \(CPARS\)](#)
- [HCA Directive 2.3](#), Adequacy Determination of Contractor's Accounting System and Cost Accounting Standards Applicability for EM Traditional (i.e. non M&O) Contracts
- [Performance Evaluation and Measurement Plans](#), Memorandum dated November 21, 2011
- [Strategic Integrated Procurement Enterprise System \(STRIPES\)](#)
- [Electronic Subcontracting Reporting System \(eSRS\)](#)
- [U.S. Department of Energy \(DOE\) Office of Acquisition and Project Management \(APM\) Web site](#)

## 5.0 Requirements

Document	Title
<a href="#">FAR</a>	Federal Acquisition Regulation
<a href="#">FAR 3</a>	Improper Business Practices and personal Conflicts of Interest
<a href="#">FAR 4</a>	Administrative Matters
<a href="#">FAR 4.8</a>	Government Contract Files
<a href="#">FAR 6</a>	Competition Requirements

<a href="#">FAR 15</a>	Contracting by Negotiation
<a href="#">FAR 16</a>	Types of Contracts
<a href="#">FAR 17</a>	Special Contracting Methods
<a href="#">FAR 19</a>	Small Business Programs
<a href="#">FAR 22</a>	Application of Labor Laws to Government Acquisitions
<a href="#">FAR 23</a>	Environment, Energy and Water, Efficiency, Renewable Energy Technologies, Occupational Safety, and Drug-Free Workplace
<a href="#">FAR 28</a>	Bonds and Insurance
<a href="#">FAR 29</a>	Taxes
<a href="#">FAR 30</a>	Cost Accounting Standards Administration
<a href="#">FAR 31</a>	Contract Cost Principles and Procedures
<a href="#">FAR 32</a>	Contract Financing
<a href="#">FAR 42</a>	Contract Administration and Audit Services
<a href="#">FAR 43</a>	Contract Modifications
<a href="#">FAR 44</a>	Subcontracting Policies and Procedures
<a href="#">FAR 45</a>	Government Property
<a href="#">FAR 46</a>	Quality Assurance
<a href="#">FAR 49</a>	Termination of Contracts
<a href="#">FAR 51</a>	Use of Government Sources by Contractors
<a href="#">DEAR</a>	DOE Acquisition Regulation
<a href="#">DOE G AC</a>	DOE Acquisition Guide
<a href="#">DOE ALs</a>	DOE Acquisition Letters

<a href="#">DOE Policy Flashes</a>	DOE Policy Flashes
<a href="#">DOE Directives</a>	DOE Directives, Delegations, and Requirements

## 6.0 Definitions

None